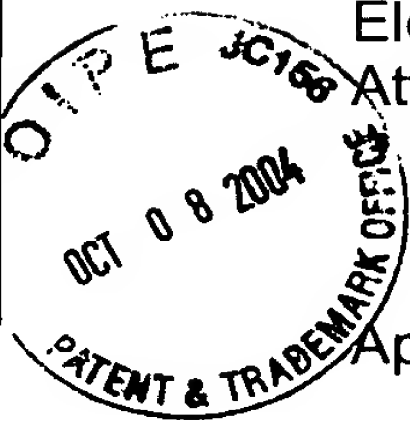


1712 IFW

Application No. 09/875,323
Election with Traverse Dated October 6, 2004
Attorney Docket No. 3833-010852



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/875,323 CONFIRMATION NO. 7514
Applicants : Dale Starkey
Filed : June 6, 2001
Title : EPOXY MOLDING COMPOUNDS CONTAINING
PHOSPHOR AND PROCESS FOR PREPARING
SUCH COMPOSITIONS
Group Art Unit : 1712
Examiner : Robert E. Sellers

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ELECTION WITH TRAVERSE

Sir:

In response to the Office Action of September 9, 2004, Applicant submits the accompanying Election with Traverse. In the Office Action, the claims have been restricted under 35 USC § 121 as follows:

Group I. Claims 1-3 and 6-15 drawn to a composition comprising an epoxy component, an anhydride, and a phosphor material.

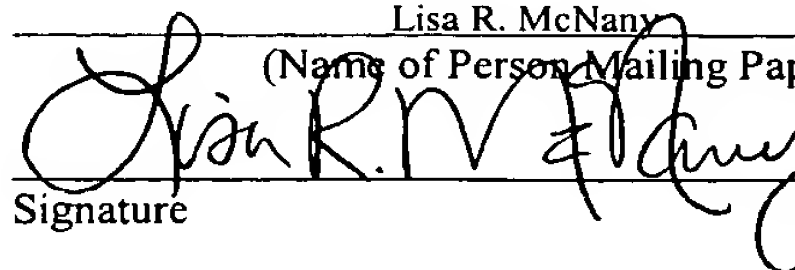
Group II. Claims 4 and 5 drawn to a composition comprising an epoxy component, an anhydride, a phosphor material, and a polyol.

The Action indicates that the Inventions I and II are related as mutually exclusive species in an intermediate-final product relationship. This restriction is respectfully traversed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 6, 2004.

Lisa R. McNany

(Name of Person Mailing Paper)

 10/6/2004
Signature Date

Applicant provisionally elects to prosecute the claims of Group I, with traverse.

The claims of Group I are generic. As noted by the Examiner, such claims relate to a composition including an epoxy component, an anhydride and a phosphor material. While the Examiner is correct in noting that claims 4 and 5 further include a polyol within the composition, such dependent claims are based on the same generic composition set forth in the independent claims. Moreover, the search directed to either group would clearly overlap any search directed to the remaining group. For example, a search directed to the broad generic claim of Group I would clearly involve compositions which would also include a polyol. As such, maintaining the claims in a single application would pose no burden on the Examiner for examination purposes.

In any event, should the Examiner maintain the restriction, Applicant would request rejoinder of any species claims upon the allowance of a generic claim.

In view of the above remarks, withdrawal of the restriction requirement is respectfully solicited. Should the Examiner have any questions regarding any of this information, the Examiner is invited to contact Applicant's undersigned representative by telephone at 412-471-8815.

Respectfully submitted,

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